

REMARKS

Claims 1-17 are pending. Applicant again thanks the Examiner for indicating that claims 6-8 and 11 have been allowed.

I. 35 USC § 102

Claims 1 and 9 stand rejected under 35 USC § 102(b) as allegedly being anticipated by Goldfarb (U.S. Patent No. 3,100,608). The Office Action asserts Goldfarb expressly teaches each feature recited by the rejected claims. Applicant respectfully disagrees and requests reconsideration.

The Office Action asserts that although an identification card is referred to by the claims, the claims do not require the inclusion of an identification card. Thus, claim 1 (from which claim 9 depends) has been amended to positively recite an identification card. As previously stated, in contrast, the invention of Goldfarb relates to a buckle and keychain, and neither teaches nor suggests a identification card, nor being capable of being used with an identification card. Thus, Applicant respectfully presents that Goldfarb cannot expressly teach each feature of claim 1 and/or claim 9.

II. 35 USC § 103

A. Claims 2-5

Claims 2-5 stand rejected under 35 USC § 103(a) as allegedly being unpatentable over Goldfarb in view of Rumpp (U.S. Patent No. 6,302,617). The Office Action asserts Goldfarb teaches each feature of claims 2-5, except for “a clamp element between the holder for the yo-yo for allowing the yo-yo to be releaseably attached to the holder,” for which purpose Rumpp is apparently cited. However, as Rumpp fails to teach or relate to a holder for an identification card, this secondary reference fails to cure the deficiency of Goldfarb. Thus, Applicant respectfully presents that each feature of claims 2-5 is neither taught nor suggested by Goldfarb and Rumpp, and no *prima facie* case of obviousness has been made. Reconsideration is respectfully requested.

B. Claim 10

Claim 10 stands rejected under 35 USC § 103(a) as allegedly being unpatentable over Goldfarb in view of Buell (U.S. Patent No. 6,095,567). The Office Action asserts Goldfarb teaches each feature of claim 10, except for “attaching a microchip to the holder,” for which purpose Buell is apparently

cited. While Buell teaches to provide a microchip on a key locator 10, the holder for key locator 10 is merely a ring, and possesses none of the features recited by present claim 1. At best, Buell suggests to provide key locator 10 (including microchip 22) on the key ring 38 of Goldfarb, and such a construction fails to include the features of claim 10.

III. Claims 12-17

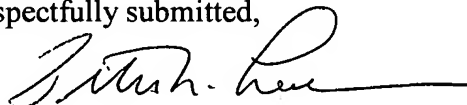
New claims 12-17 recite an embodiment of the invention wherein the suspension clip connects the holder to the garment, as supported by the first paragraph after the title. Additionally, because the free end of the string is attached to the suspension clip, the holder can be extended away from the garment by pulling the string out of the yo-yo, which yo-yo is mounted to the holder.

In contrast, the cited references teach the holder being connected directly to the garment. As the cited references neither teach nor suggest to modify the devices thereof to achieve the claimed configuration, Applicant respectfully submits that claims 12-17 are allowable over the cited art.

VI. Conclusion

In view of the foregoing, Applicant believes the application is in condition for allowance. An early action indication of such is earnestly solicited. However, if there are any issues that remain unresolved, the Examiner is invited to contact the undersigned to expedite a resolution to such issues. The Commissioner is hereby authorized to charge any underpayment of fees or credit any overpayment of fees in connection with this communication to Deposit Account 19-4375.

Respectfully submitted,



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Date: November 7, 2006